

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 664

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE STATE TREASURER; AMENDING SECTION 67-1212, IDAHO CODE, TO REVISE PROCEDURES REGARDING UNPAID WARRANTS. TO ALLOW INTER-FUND TRANSFERS UNDER CERTAIN CIRCUMSTANCES AND FOLLOWING CERTAIN REQUIREMENTS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 67-1212, Idaho Code, be, and the same is hereby amended to read as follows:

67-1212. UNPAID WARRANTS -- INTEREST -- RECORD. (1) All warrants drawn upon funds ~~the balance~~ in which the balance is insufficient to pay them must be ~~turned over~~ reported to the state treasurer by the state controller. All ~~of~~ such warrants shall be registered by the state treasurer as follows: he shall date and sign ~~such warrants on the back thereof underneath the words "Presented for payment and not paid for want of moneys"~~ the report and return the same to the state controller ~~for delivery to~~ who shall notify the respective payees. It is the duty of the state treasurer to keep a ~~register~~ report of all warrants not paid for want of moneys, in which ~~register~~ report such warrants shall be listed in numerical order, and when paid the treasurer shall note ~~on such register~~ the amount of interest paid and the date of payment. Any such warrants, registered by the state treasurer, shall from date of registration until paid bear interest at a rate to be fixed by the state treasurer.

(2) In lieu of registering warrants as provided in subsection (1) ~~above~~ of this section, the state treasurer shall have authority to:

(a) Pay such warrants out of any moneys available ~~if it appears that money sufficient to pay such warrants will, within thirty (30) days be available in the fund, or account in the case of accounts in the agency asset fund, rotary fund, or any other fund maintained on the account level, upon which such warrants are drawn allowing the fund to remain negative for up to thirty (30) days;~~ the state treasurer shall charge the fund or account for which such moneys are advanced ~~a service fee and~~ an amount of interest substantially equal to what could have been earned had the advanced moneys been invested, and the amount of the ~~service fee and~~ interest shall constitute an appropriation from the fund or account for which the advancement was made, ~~or~~. If moneys are not sufficient in the fund after thirty (30) days, unless otherwise excepted by law, the state treasurer shall make inter-fund transfers subject to the following requirements:

(i) All transfers shall be identified by: available funds from which moneys are borrowed, the fund to which the moneys are transferred, amount of transfer, the anticipated interest rate

1 consistent with the available funds' current rate of return, if
2 applicable, the anticipated repayment date and the reason for the
3 transfer;

4 (ii) Interest, if applicable, shall be paid on any transfer, where
5 required by law, under this provision;

6 (iii) The treasurer shall maintain an annual report of all such
7 inter-fund transfers.

8 (b) Issue tax anticipation notes as provided by chapter 32, title 63, or
9 section 57-1112, Idaho Code.

10 SECTION 2. An emergency existing therefor, which emergency is hereby
11 declared to exist, this act shall be in full force and effect on and after its
12 passage and approval.